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JC05 Rec'd PCT/PTO 15 MAR 2002

PATENT

Case Docket No. DAVI103.001AUS

Date: March 11, 2002

Page 1

In re application of : Nicholson, G.  
App. No. : 09/632,074  
Filed : August 2, 2000  
For : METHOD OF TREATMENT  
AND AGENTS USEFUL FOR  
SAME  
Examiner : C. Saoud  
Art Unit : 1647

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 2327, Arlington, VA 22202, on

March 11, 2002

(Date)

Jennifer A. Haynes, Ph. D., Reg. No. 48,868

**ASSISTANT COMMISSIONER FOR PATENTS**

**WASHINGTON, D.C. 20231**

Sir:

Transmitted herewith is a copy of the Response to Notice to Comply and Supplemental Preliminary Amendment in the above-identified application which was originally filed December 20, 2001.

(X) Copy of Transmittal and Response to Notice to Comply and Supplemental Preliminary Amendment as filed December 20, 2001, which includes:

1. Second Notice to Comply dated January 11, 2002;
2. Copy of Return Receipt Postcard and Check;
3. Copy of Return Receipt Postcard date stamped received by the OIPE, PTO;
4. Sequence Listing in four (4) pages;
5. Copy of diskette;
6. Copy of first Notice to Comply dated June 25, 2001; and
7. Return prepaid postcard.

The Notice to Comply dated January 11, 2002 makes no reference to the first Notice to Comply dated June 25, 2001, or the response filed to the Notice. Therefore, we are re-submitting the response filed to the first Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

Jennifer A. Haynes, Ph. D.  
Registration No. 48,868  
Agent of Record



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/632,074	08/02/2000	Geoffrey Charles Nicholson	DAVI103.001AUS

CONFIRMATION NO. 9705

## FORMALITIES LETTER



\*OC00000006224821\*

20995

KNOBBE MARTENS OLSON & BEAR LLP  
620 NEWPORT CENTER DRIVE  
SIXTEENTH FLOOR  
NEWPORT BEACH, CA 92660

Date Mailed: 06/25/2001

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

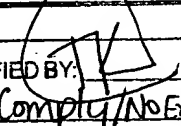
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

DOCKETED ON:	7/26/01
BY: SN	VERIFIED BY: 
ACTION:	Notice to Comply/No Ex
DUE DATE:	August 15, 2001
FINAL DEADLINE:	December 25, 2001
ATTY:	DEA / JAH
ATTORNEY VERIFICATION OF DUE DATE AND FINAL DEADLINE:	



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/632,074	08/02/2000	Geoffrey Charles Nicholson	DAV1103.001AUS

CONFIRMATION NO. 9705

20995  
KNOBBE MARTENS OLSON & BEAR LLP  
620 NEWPORT CENTER DRIVE  
SIXTEENTH FLOOR  
NEWPORT BEACH, CA 92660

## FORMALITIES LETTER



\*OC000000007300436\*

Date Mailed: 01/11/2002

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

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- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



In re application of : Nicholson, G.  
App. No. : 09/632,074  
Filed : August 2, 2000  
For : METHOD OF TREATMENT  
AND AGENTS USEFUL FOR  
SAME  
Examiner : Unknown  
Art Unit : 1647

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

December 20, 2001

(Date)

Jennifer A. Haynes, Ph. D. Reg. No. 48,868

**ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231**

Sir:

Transmitted herewith is a Response to Notice to Comply and Supplemental Preliminary Amendment in the above-identified application.

(X) An extension of time to respond for four months is hereby requested.

Time Extension Fee:

(X) four months (\$720 small entity)

(X) Copy of Notice to Comply.

(X) Replacement Sequence Listing in 4 pages.

(X) Disk copy of Sequence Listing.

(X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

(X) Return prepaid postcard.

(X) A check in the amount of \$720 is enclosed.

(X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Jennifer A. Haynes, Ph. D.  
Registration No. 48,868  
Agent of Record

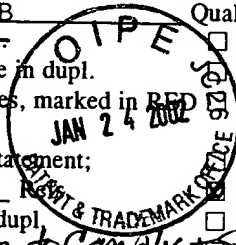
**UTILITY/DESIGN PATENT**

(amend/final amend)

DATE: 12/20/01

DATE OF O.A.: 6/25/01

Rec'd in the U.S.P.T.O. on the date stamped hereon via Certificate of Mail

Atty Dkt # DAVI103.001AUS A/N: 09/632,074 Filed: 8/2/00Exr: \_\_\_\_\_ Atty: DEA/JAH Art Unit: \_\_\_\_\_Applicant(s): Nicholson, G.Title: METHOD OF TREATMENT AND AGENTS USEFUL FOR SAMEVERIFIED BY: Asst: BB Quality Control: SLP☒ Transmittal Sheet in dupl. ☐ Amendment in \_\_\_\_\_ pgs.☒ 4 Mo. Ext. of Time in dupl. ☐ Small Entity Statement(s) \_\_\_\_\_☐ Req. for Drawing Changes, marked in RED ☐ Submission of Formal Drawings☐ \_\_\_\_\_ pgs of Drawings ☐ Transmittal☐ Information Disclosure Statement; \_\_\_\_\_ pgs of Formal Drawings Ext ofPTO-1449 w/ News ☐ \$ 720 Check for Amendment time☐ Issue Fee Transmittal in dupl. ☐ \$ \_\_\_\_\_ Issue Fee Soft Copies☒ Response to Notice to Comply Suppl Prel. Amend☒ Copy of Notice to Comply ☒ Disk copy of Seq. List☒ Sequence Listing in 4 pgs☒ Return Postcard



# UTILITY/DESIGN PATENT

(amend/final amend)

DATE: 12/20/01

Rec'd in the U.S.P.T.O. on the date stamped hereon via Certificate of Mail:  
Atty Dkt #DAVI103.001AUS/N: 09/632,074

DATE OF O.A.: 6/25/01

Exr: \_\_\_\_\_ Atty: DEA/JAH Filed: 8/27/00  
Applicant(s): Nicholson, G. Art Unit: \_\_\_\_\_

Title: METHOD OF TREATMENT AND AGENTS USEFUL FOR SAME

VERIFIED BY: Asst: BB

Quality Control: 56m

☒ Transmittal Sheet in dupl.

☐ Amendment in \_\_\_\_\_ pgs.

☒ 4 Mo. Ext. of Time in dupl.

☐ Small Entity Statement(s)

☐ Req. for Drawing Changes, marked in RED ☐ Submission of Formal Drawings

☐ Information Disclosure Statement;

☐ \_\_\_\_\_ pgs of Formal Drawings

PTO-1449 w/ \_\_\_\_\_ Refs.

☒ \$720 Check for Amendment Time

☐ Issue Fee Transmittal in dupl.

☐ Issue Fee Soft Copies

☒ Response to Notice to Comply

☒ Disk copy of Seq. List

☒ Copy of Notice to Comply

☒ Sequence Listing in 4pgs

7/96

## KNOBBE MARTENS OLSON & BEAR

48763

PATENT ACCOUNT  
620 NEWPORT CENTER DR., 16TH FLOOR  
NEWPORT BEACH, CA 92660

DATE 12-20-01

11-24 1147  
1210

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COMMISSIONER OF PATENTS

Seven hundred and twenty 00/100 \$ 720.00  
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www.wellsfargo.com

09/632,074

FOR DAVE/103.001AUS Response

Deby Suey

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